

SEVENTY-NINTH DAY

(Wednesday, May 30, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President:

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Kelley	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Metcalf	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senators Mauritz and Parrish were granted leaves of absence for today on account of illness on motion of Senator Winfield.

Senate Concurrent Resolution 36

Senator Chadick offered the following resolution:

S. C. R. No. 36, Suspending joint rules for the purpose of allowing consideration in the Senate today and tomorrow of S. B. No. 348.

The resolution was adopted.

Senate Resolution 84

(Extending Courtesies to Hon. Roy L. Laird)

Senator Lane offered the following resolution:

Whereas, Honorable Roy L. Laird, an outstanding citizen of East Texas, and for many years Mayor of the City of Kilgore, where he has rendered

valuable service to his City and the people of East Texas, is now at the State Capitol, now therefore, be it

Resolved, that the Honorable Roy L. Laird be extended the privileges of the floor during his stay in the city.

The resolution was read and was adopted.

Senate Bill 348 on Second Reading

On motion of Senator Chadick, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to engrossment:

S. B. No. 348, An Act amending Acts of 1941, 47th Legislature, page 269, Chapter 183, and declaring an emergency.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 348 on Third Reading

Senator Chadick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 348 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Kelley	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Metcalf	

Absent—Excused

Mauritz

Parrish

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Kelley	Taylor
Knight	Vick
Lane	Weinert
Lanning	Winfield
Martin	York
Metcalf	

Absent—Excused

Mauritz	Parrish
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House Bill 38 on Passage to Third Reading

Senator Spears moved that the regular order of business be suspended and that House Bill 38, be placed on its passage to third reading.

The motion prevailed by the following vote:

Yeas—24

Brown	Moffett
Bullock	Morris
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Kelley	Taylor
Lane	Weinert
Martin	Winfield
Metcalf	York

Nays—4

Aikin	Moore
Knight	Vick

Absent

Lanning

Absent—Excused

Mauritz	Parrish
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The President then laid before the Senate on its passage to third reading (the bill having been read second time on yesterday):

H. B. No. 38, A bill to be entitled "An Act providing for the protection of the public health; defining certain

terms used in the Act; authorizing the State Board of Health to define and fix the specifications and standards for certain meat and meat food products sold for human foods as defined in the Act; providing that specifications and standards defined and fixed shall be in harmony with the regulations contained and set out in this Act; authorizing the State Board of Health and its representatives to supervise and regulate the grading and labeling of meat and meat products sold for human food."

Question—Shall the bill be passed to third reading?

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 38 by striking out the last sentence of Section 4.

Question—Shall the amendment be adopted?

Message from the Governor

The President laid before the Senate and directed the Secretary to read the following message from the Governor:

Austin, Texas,
May 29, 1945.

To the Members of the Forty-ninth Legislature:

Complying with House Concurrent Resolution No. 107, I am returning herewith House Bill No. 849 to the House of Representatives.

Respectfully submitted,
COKE R. STEVENSON,
Governor of Texas.

The message was read.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
May 29, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom you referred H. J. R. No. 62, by Cousins, et al, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

MARTIN, Chairman.

Austin, Texas,
May 29, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom you referred H. J. R. No. 64, by McMurry, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed.

MARTIN, Chairman.

Bills Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bills:

S. B. No. 77, "An Act declaring the floods of Colorado County, Fayette County and Jackson County, Texas, to be a public calamity; authorizing a donation and grant to Jackson County Flood Control District of one-half (1/2) of the ad valorem taxes collected in Jackson County; authorizing a donation and grant to Fayette County Flood Control District of one-half (1/2) the State ad valorem taxes collected in Fayette County; authorizing a donation and grant to Colorado County Flood Control District of one-half (1/2) of the State ad valorem taxes collected in Colorado County; providing that such taxes donated to shall be used for flood control improvements and maintenance purposes; specifying the reports thereon to be made by the Assessor and Collector of Taxes; authorizing the issuance of bonds secured by the pledge of funds donated and granted by the State; describing the manner of issuance thereof; providing that this act shall be severable; repealing all laws in conflict; and declaring an emergency."

S. B. No. 80, "An Act to amend Article 4359, Revised Civil Statutes, as amended by House Bill 495, Chapter 243, Acts of the Regular Session of the Forty-second Legislature, and providing that a department, court, school, or other State agency may prepare and present pay roll claims in advance of the pay roll period without verification as to services performed, and authorizing the Comptroller to issue warrants in the payment thereof in advance of the due date of said claim, and directing the Treasurer to countersign such war-

rants; authorizing the Comptroller to make rules and regulations for filing such pay roll claims, and writing warrants in connection therewith, and declaring an emergency."

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 30, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

The House has refused to concur in Senate Amendments to House Bill No. 301 and request the appointment of a Conference Committee to adjust the differences.

The following conferees have been appointed on the part of the House: Bundy, Colson, Jones of Bosque, Sadler, McMurry.

The House has granted the request of the Senate for a Conference Committee on Senate Bill No. 268.

The following conferees have been appointed on the part of the House: Coker, Ward, Crawford, Sallas, Humphrey.

H. B. No. 642, A bill to be entitled "An Act amending Article 2994, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1930, 41st Legislature, 4th Called Session, page 30, Chapter 20, Section 1; amending Article 3925, Revised Civil Statutes of Texas, 1925; amending Article 3927, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1941, 47th Legislature, page 641, Chapter 387, Section 1, amending Article 3930, Revised Civil Statutes of Texas, 1925, amending Article 3933, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1937, 43rd Legislature, page 437, Chapter 224, Section 1; amending Article 3955, Revised Civil Statutes of Texas, 1925; amending Article 3937, Revised Civil Statutes of Texas, 1925; amending Article 3939, Revised Civil Statutes of Texas, 1925, providing for the compensation of the assessor and collector of taxes in collecting state and county and other taxes and for issuing ad valorem tax certificates; amended Acts, 1929, 41st Legislature,

2nd Called Session, page 172, Chapter 88, Section 11, and repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 883, A bill to be entitled "An Act providing that in all Cities and Towns heretofore incorporated, or attempted to be incorporated, under the provisions of Chapter 12, Title 28, Revised Civil Statutes of Texas, 1925, which have functioned as incorporated Cities and Towns since the date of incorporation, or attempted incorporation, and the boundaries of which have been defined by the Board of Commissioners of such Cities and Towns, by ordinance duly adopted and placed in the Minutes of such Board of Commissioners, the incorporation of such Cities and Towns to include the exact territory described in said ordinance so adopted, be and the same is hereby validated, ratified, approved, and confirmed; and the boundaries of said Cities and Towns as defined in such ordinance shall control and prevail over the boundaries set forth in the corporation proceedings of such Cities and Towns; and declaring an emergency."

H. B. No. 884, Creating a more efficient road system for Henderson County for the maintenance of public roads and highways other than duly designated State highways of Henderson County.

H. C. R. No. 109, Authorizing the Enrolling Clerk of the Senate to make certain changes in Senate Bill No. 317.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives

Conference Committee on House Bill 301

Senator Lanning called for the consideration at this time of the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 301 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Lanning, Knight, Aikin, Winfield and Taylor.

Session to Consider Local and Uncontested Bills

On motion of Senator Metcalfe, the Senate agreed to hold a session for the consideration of local and uncontested bills only on Thursday, May 31, 1945, at 7:00 o'clock p. m.

Adjournment

Senator Martin moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Yeas and nays were demanded.

The roll was called and the vote was announced, "yeas 14, "nays" 14.

The President voted "yea" and the motion prevailed by the following vote:

Yeas—15

Mr. President	Metcalfe
Aikin	Moore
Carney	Stone
Chadick	Taylor
Knight	Weinert
Lane	Winfield
Lanning	York
Martin	

Nays—14

Brown	Moffett
Bullock	Morris
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Sulak
Kelley	Vick

Absent

Ramsey

Absent—Excused

Mauritz Parrish

The Senate accordingly, at 12:00 o'clock m., adjourned until 10:30 o'clock a. m., tomorrow.

EIGHTIETH DAY

(Thursday, May 31, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Chadick
Brown	Crawford
Bullock	Graves